

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICHARD NICHOLSON,

Case No. 2:16-cv-02133-JCM-PAL

Petitioner,

ORDER

v.

RENEE BAKER, et al.,

Respondents.

Petitioner Richard Nicholson has submitted a *pro se* petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254 (ECF No. 1-1). However, petitioner has failed to submit an application to proceed *in forma pauperis* or pay the filing fee. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2.

It is unclear from the papers presented whether a dismissal without prejudice could materially affect a later analysis of any timeliness issue with regard to a new federal action. Therefore, Nicholson shall have thirty (30) days from the date of this order to either pay the \$5.00 filing fee or submit a completed application to proceed *in forma pauperis* on the proper form with both an inmate account statement for the past six months and a properly executed financial certificate. Failure to do so may result in the dismissal of this action without prejudice.

IT IS FURTHER ORDERED that failure to do so may result in the dismissal of this action without prejudice.

James C. Mahan
JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE